

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

Filed: May 16, 2024

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SHARON CHUNG,

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No. 22-858V

Petitioner,

*

v.

Special Master Gowen

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SECRETARY OF HEALTH
AND HUMAN SERVICES,

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*

Respondent.

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* * * * *

David Gregory Rogers, Rogers, Hofrichter & Karrh, LLC, Fayetteville, GA, for petitioner.
Ryan Miller, U.S. Department of Justice, Washington, D.C., for respondent.

ORDER CONCLUDING PROCEEDINGS¹

On August 5, 2022, Sharon Chung (“petitioner”) filed a Petition in the National Vaccine Injury Compensation Program. Petition (ECF No. 1).² Petitioner alleged that she suffered injuries “including neuropathy to her left arm” as a result of the flu vaccine she received on September 30, 2019. *Id.* at Preamble. Petitioner filed medical records accompanying her petition.

On January 4, 2024, respondent filed the Rule 4(c) report arguing that the case was not appropriate for compensation. Resp’t Report (ECF No. 58). On May 16, 2024, the parties filed a Joint Stipulation of Dismissal stating that “The parties hereby stipulate pursuant to Vaccine Rule 21(a) that this action shall be dismissed.” Joint Stipulation of Dismissal (ECF No. 31).

Accordingly, pursuant to Vaccine Rule 21(a), the above-captioned case is dismissed without prejudice. The Clerk of Court is hereby instructed that **judgment shall not enter** in the instant case pursuant to Vaccine Rule 21(a).

¹ Pursuant to the E-Government Act of 2002, see 44 U.S.C. § 3501 note (2012), because this opinion contains a reasoned explanation for the action in this case, I intend to post it on the website of the United States Court of Federal Claims. The Court’s website is at <http://www.uscfc.uscourts.gov/aggregator/sources/7>. Before the opinion is posted on the Court’s website, each party has 14 days to file a motion requesting redaction “of any information furnished by that party: (1) that is a trade secret or commercial or financial in substance and is privileged or confidential; or (2) that includes medical files or similar files, the disclosure of which would constitute a clearly unwarranted invasion of privacy.” Vaccine Rule 18(b). An objecting party must provide the Court with a proposed redacted version of the opinion. *Id.* If neither party files a motion for redaction within 14 days, the opinion will be posted on the Court’s website without any changes. *Id.*

² The National Vaccine Injury Compensation Program is set forth in Part 2 of the National Childhood Vaccine Injury Act of 1986, Pub. L. No. 99-660, 100 Stat. 3755, codified as amended, 42 U.S.C. §§ 300aa-10 to 34 (2012) (hereinafter “Vaccine Act” or “the Act”). Hereinafter, individual section references will be to 42 U.S.C. § 300aa of the Act.

IT IS SO ORDERED.

s/ Thomas L. Gowen

Thomas L. Gowen

Special Master